

KENTUCKY BOARD OF DENTISTRY

LAW ENFORCEMENT COMMITTEE MEETING DECEMBER 13, 2006

CALL TO ORDER: The Law Enforcement Committee meeting was called to order at 9:00 a.m. A motion was made by Dr. Babcock to go into closed session pursuant to KRS 61.810(1) (c) and (j). Dr. Dew seconded the motion. Both were in favor. A motion was made by Dr. Babcock to come out of closed session. Dr. Dew seconded the motion. Both were in favor. A motion to adjourn was made by Dr. Dew. Dr. Babcock seconded the motion. The committee meeting adjourned at 5:15 p.m.

LAW ENFORCEMENT COMMITTEE MEETING JANUARY 12, 2006

CALL TO ORDER: The Law Enforcement Committee meeting was called to order at 9:00 a.m. A motion was made by Dr. Dew to go into closed session pursuant to KRS 61.810(1) (c) and (j). Dr. Babcock seconded the motion. Both were in favor. A motion was made by Dr. Dew to come out of closed session. Dr. Babcock seconded the motion. Both were in favor. A motion to adjourn was made by Dr. Babcock. Dr. Dew seconded the motion. The committee meeting adjourned at 5:00 p.m.

BOARD MEETING January 13, 2007

CALL TO ORDER: President David Narramore, D.M.D. called the meeting to order at 9:00 a.m.

Roll Call: Present Board members were David Narramore, D.M.D.; William Dew, D.M.D.; Jim Allen, D.M.D.; Chris Babcock, D.M.D., M.D.; Dianne Embry, R.D.H.; Hank Sleet, D.M.D., M.D.; and Laura Justice, D.M.D. Staff present were Eric T. Clark, Executive Director; Lisa A. Turner, Executive Staff Advisor; Sylvester Gurnell, Licensing Specialist; and Mark Brengelman, Board Attorney. Absent Board members were Doug Ferguson and Julie Gaskill, D.D.S.

Visitors

Dr. Lee Schambach; Brian Fingerson R.Ph.; and representatives of the Kentucky Dental Hygienists' Association: Amelia Buell R.D.H. and Lisa Johnston R.D.H.

Approval of Minutes

Dr. Dew motioned that the Minutes of the November 11, 2006 Board Meeting be accepted. Dr. Allen seconded the motion. All were in favor.

Director's Report

Mr. Gurnell provided an update on the status of the dental hygienists' 2007-2008 license renewals. Discussion followed regarding the process to address nonrenewals after due date of December 31, 2006. The definition of active practice was discussed with guest members of the KDHA and a suggestion that a regulation be drafted to fully define the Board's "20% rule."

Mr. Clark reviewed the agency budget through the first two quarters of fiscal year 2007. Travel expenditures within the confines of budgetary allotments were discussed.

The visiting members of the KDHA asked that the Board provide travel reimbursement for the hygienist board member to attend the American Dental Hygienists' Association meeting in June 2007. The board agreed.

Mr. Clark reviewed the process for board members to receive a state-issued, photo-identification badge.

The May Board Meeting will be held in conjunction with the annual Kentucky Dental Association (KDA) meeting scheduled for May 12, 2007. Board elections will also be held at the same location. The Law Enforcement Meeting and the Credentialing Committee Meeting will both be held on Friday May 11, 2007 at the Board office.

Dr. Narramore informed the board of his previous meeting with KDHA representatives to address the standardization of the process to elect the dental hygienist position of the board. A process will be documented in writing and will be placed on the agenda for the next meeting for board approval.

Mr. Clark discussed Senate Bill 26 and House Bill 126 with the board. There may be another bill that will amend KRS 313.330 to include private admonishments for dental hygienists. The intent of the bill will to make the dental hygiene statutes consistent with the dentistry statutes.

Dianne Embry stated, on behalf of the representatives from the KDHA, that KRS 313.300 addressing annual registration be corrected to state biennial. The board requested that Mr. Clark begin the process of updating the Dental Practice Act.

COMMITTEE REPORTS

Credentials Committee

Dr. Schambach requested the Board to reconsider his license by credentials. The board inquired on Dr. Schambach's practice plans in Kentucky. Dr. Schambach responded he would practice in northern Kentucky. There was discussion regarding procedures for patient follow-up care with mobile dental clinics. Pursuant to KRS 61.810(1)(j), Dr. Babcock motioned to go into close session to review Dr. Schambach's request. Dr. Justice seconded the motion. All were in favor.

Dr. Babcock motioned to come out of close session. Dr. Narramore seconded the motion. All were in favor. Dr. Justice motioned to issue Dr. Schambach a license by credentials. Dr. Babcock seconded the motion. There was an affirmative vote of all present. The Board requested that Dr. Schambach not open a mobile dental unit until the Board promulgates an administrative regulation addressing mobile dental units. Dr. Schambach agreed, and the Board acknowledged, that he had no immediate plan to open a mobile care unit in Kentucky.

The board noted a need for a regulation regarding mobile dental units in Kentucky.

Dianne Embry motioned that a dental hygiene license be issued to Lynn Callan R.D.H. and Laura Tellis, R.D.H. Dr. Babcock seconded the motion. All were in favor.

Dr. Justice motioned that a dental license be issued to James D'Anna, D.D.S. and Terry Turley, D.M.D. Dr. Dew seconded the motion. All were in favor.

Dr. Babcock motioned that Robert Andreus D.D.S. and Kenneth Knott, D.D.S. be invited to the next board meeting in March 2007, to discuss their practice plans in Kentucky. Dr. Dew seconded the motion. All were in favor.

Law Enforcement Committee

Dr. Sleet motioned that the closed case report be accepted. Dianne Embry seconded the motion. All were in favor.

05-26 Ms. Embry is scheduled to serve on the Board's hearing panel for on February 23, 2007.

05-106 Dr. Sleet motioned to accept the proposed Settlement Agreement. Dr. Babcock seconded the motion. All were in favor.

06-72 Dr. Babcock recommended granting authority to the law enforcement committee to file formal charges and have new settlement agreement authority. Dr. Allen motioned for the same. Dr. Justice seconded the motion. All were

in favor.

06-78 Dr. Babcock to accept the proposed Settlement Agreement. Dr. Justice seconded the motion. All were in favor.

06-102 Dr. Babcock recommended granting authority to the law enforcement committee to file formal charges and to have settlement agreement authority. Dr. Sleet motioned for the same. Dr. Allen seconded the motion. All were in favor.

06-119 Dr. Babcock recommended granting authority to the law enforcement committee to file formal charges and to have settlement agreement authority. Dr. Justice motioned for the same. Dr. Sleet seconded the motion. All were in favor.

Drs. Babcock and Dew recused and did not vote on any matter before the Law Enforcement Committee.

The Board discussed the need for dentists to act as Board-approved monitors. Board-approved monitors are needed throughout the state for the purpose of monitoring disciplined dentists who have agreed to have certain aspects of their dental practice monitored. The Board requested that Mr. Clark contact the Kentucky Dental Association to seek referrals for such monitors.

Dr. Babcock motioned that advertising issues shall be discussed by the Law Enforcement Committee prior to any investigate work. Dr. Justice seconded the motion. All were in favor.

Well Being Committee

Brian Fingerson presented the Well Being Committee Report to the Board.

Newsletter Committee

The Board recommended articles on the following topics to be included in the 2007 Spring Newsletter: 1) Informed Consent; 2) the confidentiality of KASPER reports; 3) Dental Laboratory requirements; 4) Anesthesia inspections; 5) CDC Guidelines; and 6) Advertising laws.

Education Committee

Ms. Arnessa Craft requested reconsideration for the Board to approve her proposed radiography technique and safety course. The board denied the request, but noted the course may be taught in conjunction with the dental schools and the dental hygiene programs in the state.

Dr. Babcock motioned that the letter from Dr. Michael Gross requesting Category B Continuing Education Credit for his ACLS course be denied. Dr. Justice seconded the motion. All were in favor.

Dianne Embry motioned that the letter from Lisa Mathis requesting certification in coronal polishing be accepted. Dr. Dew seconded the motion. All were in favor.

Dr. Babcock motioned that the letter from Annette Hall requesting radiography certification be accepted. Dr. Narramore seconded the motion. All were in favor.

Dianne Embry motioned to grant a hygiene anesthesia permit to Angela Schweizer. Dr. Sleet seconded the motion. All were in favor.

Old Business

The Board noted that Dr. Robert Ross' request for expungement does not meet the statutory and regulatory requirements

pursuant to 201 KAR 8:490.

The Board discussed expanding the definition of minor violations in 201 KAR 8:490.

Dr. Babcock motioned to accept the updated Board Opinion and Declaratory Ruling, which reverses the previous Board Opinion and Ruling on whitening procedures and protocols. Dr. Justice seconded the motion. All were in favor.

New Business

Dr. Justice motioned that the Board agree to the role of dentists in case of catastrophic emergency, as outlined in the correspondence from Earl J. Motzer Ph.D. Dr. Sleet seconded the motion. All were in favor.

Dianne Embry motioned that the disciplinary action of Julie Maren, R.D.H., be expunged from her record. Dr. Babcock seconded the motion. All were in favor.

The Board agreed that Jerry Glendenin's request to serve as the supervising CDT of his dental lab be denied. A current CDT card is required for the supervising CDT in a legally registered lab serving Kentucky dentists.

There being no further business, Dr. Dew motioned to adjourn at 1:20 p.m. Dr. Sleet seconded the motion. All were in favor.

APPROVED:

David Narramore, D.M.D.
President

Bill Dew, D.M.D.
Vice President